

AO 91 (Rev. 08/09) Criminal Complaint

UNITED STATES DISTRICT COURT

for the  
Southern District of Ohio

United States of America  
v.

Cesar Augusto Guerrero, Jr.

Case No.

1:19MJ -563

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 5, 2019 in the county of Hamilton in the  
Southern District of Ohio, the defendant(s) violated:

Code Section

SEE ATTACHMENT A

Offense Description

18 U.S.C. § 2422(b)

Coercion and Enticement

This criminal complaint is based on these facts:

See Attached Affidavit.

☒ Continued on the attached sheet.

  
Complainant's signature

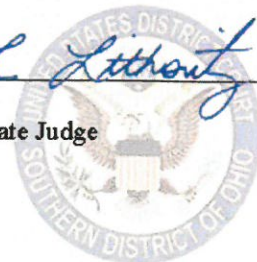
SA Dan Kilbourne, FBI  
Printed name and title

Sworn to before me and signed in my presence.

Date: 8/9/19

City and state: CINCINNATI, OHIO

  
Karen L. Litkovitz  
United States Magistrate Judge



**ATTACHMENT A**

**COUNT ONE**

**(Coercion and Enticement of A Minor)**

Between July, 2019 and on or about August 5, 2019, in the Southern District of Ohio, the defendant, **CESAR AGUSTO GUERRERO JR**, did use any facility of interstate and foreign commerce, to knowingly persuade, induce, entice and coerce Minor Victim 1, at the time a 17 year old female, who had not attained the age of 18 years, to engage in any sexual activity for which any person could be charged with an offense.

Specifically, Ohio law indicates no person shall engage in sexual conduct with another, not the spouse of the offender, when the other person is a minor, the offender is a cleric, and the other person is a member of, or attends, the church or congregation served by the cleric, Ohio Revised Code § 2907.03(A)(12).

**In violation of 18 U.S.C. § 2422(b).**

I, Daniel R. Kilbourne, a Special Agent with the Federal Bureau of Investigation, being duly sworn, hereby depose and state as follows:

### **INTRODUCTION**

1. I have been employed as a Special Agent of the Federal Bureau of Investigation since August 2008, and am currently assigned to the Cincinnati Field Office. My current assignment is on the violent crime squad, responsible for investigations of violations involving various violent crime to include crimes against children, drug trafficking, violent criminal acts, and criminal enterprises. While employed by the Federal Bureau of Investigation, I have investigated federal criminal violations related to cyber crime, child exploitation, child pornography, drug trafficking and other violent crimes. I have gained experience through training at the Federal Bureau of Investigation, private sector training, and everyday work relating to conducting these types of investigations. As a federal agent, I am authorized to investigate violations of United States laws and to execute warrants issued under the authority of the United States.
2. This affidavit is based upon my conversations and coordinated efforts with other law enforcement agents and my examination of various reports and other records. When the contents of documents or statements of others are reported herein, they are reported in substance and part unless otherwise indicated. I have not included in this affidavit all information I know relating to the investigation. I have set forth only the facts necessary to establish probable cause for a criminal complaint and arrest warrant for Cesar Augusto Guerrero, Jr. (Guerrero). I have not withheld any evidence or information that would negate probable cause.

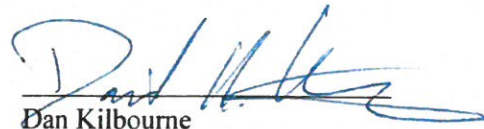
### **PROBABLE CAUSE**

3. On August 7<sup>th</sup>, 2019 the Sharonville Ohio Police Department received complaints from several female members of the Mision Cristiana el Calvario Church (MCC) located at 2350 E. Kemper Road, Sharonville, Ohio 45241 regarding the activities of the church's pastor, Guerrero. One of the complainants, referred to as Minor Victim 1 (MV1) was a 17 year old female.
4. Minor Victim 1 (MV1) was interviewed by Sharonville police on August 7<sup>th</sup> 2019. MV1 is a member of the MCC. Previously, MV1 had disclosed to Guerrero that she had been sexually molested in Guatemala. MV1 stated she had been contacted by Guerrero a few weeks prior through the Facebook Messenger application on her cellphone. Guerrero had told MV1 that he had dreamt about her dressed in white while walking in a dark place. Guerrero told MV1 that this dream made him concerned for her and that God was speaking to him and the only way to get out of the dark place was for her to have sexual relations with Guerrero. Guerrero referred to this as a "cleansing process". She understood Guerrero's references to the dark place to be concerning her prior molestation.



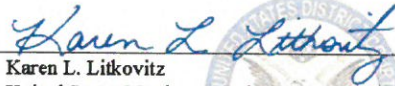
5. Guerrero requested for MV1 to meet him so they could start the “cleansing process.” Prior to meeting, Guerrero requested MV1 make a video call to him while MV1 was completely nude and he also requested MV1 to send him pictures of her genitalia. MV1 trusted Guerrero and Guerrero was telling MV1 that this was God’s will, so she agreed to the nude call and pictures. MV1 stated Guerrero used several biblical verses while discussing this with her. MV1 stated the video call and pictures were sent through her cellphone and the Facebook Messenger application.
6. MV1 further stated that on July 30<sup>th</sup>, 2019, she met with Guerrero at his office located at the MCC. Guerrero told MV1 that he would “free her mouth” by having her perform oral sex on him, which MV1 did. Guerrero also placed his hands on MV1’s breasts during this time. MV1 indicated that Guerrero had her perform oral sex on more than one occasion, each time so she could “be free.” MV1 indicated that eventually after these encounters, she started to feel suicidal and worried that if she told anyone what had occurred Guerrero would hurt her.
7. MV1 stated that on August 4<sup>th</sup>, 2019 Guerrero contacted MV1 and asked who would be home with her on August 5<sup>th</sup>. MV1 advised Guerrero that she would be home alone with siblings as her parents would be working. Guerrero told MV1 he would meet with her on the 5<sup>th</sup> to continue the “cleansing process” with her.
8. MV1 stated that on August 5<sup>th</sup>, 2019 Guerrero picked MV1 up around 10:20 AM and took her to his office at the church. When they were in the office, Guerrero locked the door in order to “finish the process”. Guerrero told MV1 to remove all of her clothing, which she did. Guerrero then touched MV1’s body, including genitals, and told her to touch his body including his penis, which she did. Guerrero then told MV1 that he was “horny for her” and he then forced his penis into her vaginal and anal areas.
9. MV1 stated Guerrero climbed on top of her at which point she pushed him away and told him she wanted to go home. Guerrero took MV1 home, telling her that since they did not finish that they would need to continue the process later. Guerrero also told MV1 to delete all conversations and call records on her phone.
10. On August 7<sup>th</sup>, 2019 your affiant and Detective Nicholas Caplinger of Sharonville Police Department located and interviewed Guerrero. Eventually, Guerrero admitted that he wanted to clear MV1’s head so he had her strip completely naked. Guerrero prayed for MV1, touched her breasts and vagina, had MV1 touch his body including his penis, and then in order to free her mouth, he put his penis into it. Further, Guerrero stated that on August 5<sup>th</sup>, 2019 he picked MV1 up from her home around 11 AM and took her to his church office. Guerrero again had MV1 perform oral sex on him. Guerrero stated he also had vaginal sex with MV1 to fix her fears. Guerrero told investigators he previously had requested and received nude pictures from MV1 through Facebook messenger in the past few weeks. These pictures showed MV1’s breasts and vagina with no clothing. Guerrero stated he deleted these pictures after viewing them.

11. On August 9<sup>th</sup>, 2019 your affiant met with MV1. MV1 stated that she always used Facebook messenger when chatting with Guerrero, including the video call she had made to him while naked. MV1 stated that prior to beginning "the process", Guerrero had asked her how old she was and she had told him she was 17. MV1 also stated that Guerrero was aware she did not have a driver's license, and that she was entering her senior year in high school.
12. On August 9<sup>th</sup>, 2019 your affiant and Detective Nicholas Caplinger of Sharonville Police Department located and interviewed Minor Victim 2 (MV2) who is currently a 17 year old female. MV2 was a member of MCC in and around 2014/2015. MV2 stated that she had traveled to New York with Guerrero, his family, and other members of MCC to attend a conference. During the conference, Guerrero asked if any youth wished to be baptized. MV2 stated that she did, and subsequently Guerrero took MV2 to his hotel room to call her father and ask permission. Guerrero had asked MV2 what her age was, and she told him she was 14. After the call, Guerrero asked MV2 to show him how she kissed her boyfriend, pushed her onto his bed and began grabbing her breasts both over and under her clothing. MV2 pushed Guerrero away, at which time he stood in front of her and attempted to take her pants off by unbuttoning and unzipping them. Guerrero groped MV2s vagina over her clothing, and placed his hand inside her pants and touched her underwear. Guerrero told MV2 she should be kissing with her tongue, and that if she was a child of God she would obey him. MV2 stated no, and refastened her clothing, at which time Guerrero told her this would be their secret and he would never do it again.
13. MV2 also stated that she had been to Guerrero's home in Liberty Township once when he had asked her to stay overnight with his daughters to help distract them since they were grieving the loss of their maternal grandfather. Around dinnertime on the second day at the home, Guerrero asked if MV2 wanted to use a tablet he was holding close to his chest and, if she did, to come get it. When she moved to the tablet, Guerrero grabbed MV2s buttocks and began kissing her. MV2 said no, and moved away, at which point Guerrero told her he was leaving and would come talk to her later that night. After Guerrero returned to the home, MV2 went to sleep in a room with Guerrero's daughters. Sometime that night, Guerrero came into the room, using his phone for a flashlight, and touched MV2's feet to wake her. Guerrero was in underwear only, and MV2 was wearing pajamas with a shirt and pants that tied at the waist. Guerrero guided MV2 out of the room and began to touch her body, including touching her vagina over the clothing, and untied her pajama bottoms. Guerrero told MV2 that she had to obey him, and MV2 told Guerrero that he was her pastor and what he was doing was wrong. MV2 then returned to the room to sleep.
14. Based on the foregoing facts and my knowledge and experience, I submit there is probable cause to believe that Guerrero did commit the offense of Coercion and Enticement, in violation of 18 U.S.C. § 2422(b).



Dan Kilbourne  
Special Agent  
Federal Bureau of Investigation

Sworn before me and subscribed in my presence on the 9 day of August, 2019, in Cincinnati, Ohio.



Karen L. Litkovitz  
United States Magistrate Judge

